

(2) A RETAIL MARKET, RESTAURANT, OR OTHER ESTABLISHMENT WHERE FINFISH ARE SOLD OR SERVED TO ULTIMATE CONSUMERS, AND NOT FOR RESALE;

(3) A PERSON WHO BUYS FINFISH FOR PERSONAL USE OR CONSUMPTION.

[4-703.

A person who is not a resident or landowner of the State may not catch finfish in the tidal waters of the State with a net of any description.]

4-704.

(a) A person may not catch or attempt to catch finfish in the tidal waters of the State by the use of any net or other device except hook and line, dip net operated by hand, spear gun, or bow and arrow pursuant to the provisions of this subtitle unless he possesses a valid [commercial net fishing] license TO CATCH FINFISH issued [for the net or other device under the provisions of this subtitle] BY THE DEPARTMENT.

(b) [A person applies for a commercial license on forms the Department supplies and accompanied by the fee set by law for the nets sought to be licensed. The] AN applicant FOR A LICENSE TO CATCH FINFISH shall furnish information the Department requires [to determine his eligibility for a license, and shall state that he has been a resident of the State for at least 12 months preceding his application, or, if he is a nonresident, that he is a lawful owner of land in the State]. The application shall state the exact location where any pound net is to be set. Each applicant shall certify whether he previously had a license for nets or seines in the State, and if so, that he had complied with the provisions of this subtitle concerning the removal and renewal of stakes, including § 4-711 requiring stakes to be maintained in good condition. Failure to furnish the required information or making a false statement as to any material fact, constitutes sufficient grounds to deny an application.

[(c) The fee for commercial license to catch fish is:

(1) Fyke, hoop net, or pot, except eel pots. -- 50 cents for each fyke or hoop net, plus 50 cents for each 10 yards of lead or hedging used in connection with it and \$1 for any number of pots. Catfish pots licensed under the provisions of this section may be fished in any of the tidal waters of the State where commercial fishing is not prohibited.

(2) (i) Gill net. -- \$50 minimum fee, which fee is valid for up to 200 yards plus \$5 for each 100 yards or fraction of 100 yards in excess of the first 200 yards.